

REMARKS

This amendment is in response to the Office Action dated June 15, 2004. Upon entry of this amendment, claims 1, 3, 5 – 13, 16 – 18, and 20 – 23 are pending in this application.

Rejection Under 35 USC §102

The Examiner rejects claims 1, 3, 5, 7-8, 12-13, 15-18 and 20-23 under 35 USC §102 as unpatentable based upon an alleged public use or sale of the invention as shown in Puppetools: www.puppetools.com as retrieved from Internet Archive Wayback Machine ,www.archive.org>. Applicant respectfully traverses this rejection and submits the claimed invention was not in public use or on sale more than one year prior to the filing date of the subject application.

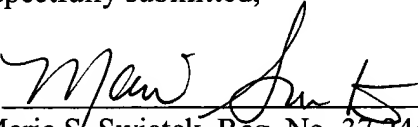
Applicant respectfully submits that the Puppetools reference does not disclose or suggest each element of the claimed invention. Specifically, the reference identified on page 4 by the Examiner merely states that a new website is under construction and will be launched sometime in the future. The statement says that an exciting teaching resource in education is planned to be launched – a working laboratory. The statement does not teach or enable one to arrive at the claimed invention, a puppetry based communications system have certain specific elements.

Additionally, the reference to the paper puppet adds nothing more. The paper puppet itself has been disclosed in prior patents, such as US Patent no. 4,555,236, referenced in a prior an Information Disclosure Statement filed by the Applicant; however Applicant submits that the existence of the paper puppet does not disclose or teach a web based puppetry based communication system and method as recited in the claims. The focus of the prior Puppetools reference is directed primarily to the puppets and their use, not a web-based interactive communications system. Applicant respectfully submits that the Examiner is using hindsight to arrive at a combination that is not disclosed or suggested.

Applicant respectfully submits that each and every limitation of the claims are not taught or suggested by the cited references. Applicant respectfully submits that the present application is now in condition for allowance, and a Notice of Allowance is respectfully requested. If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicants' attorney at the number below.

If necessary, the Commissioner is authorized to charge any additional fees or return any over payments to Deposit Account No. 50-2319 (Order No. A-69185/MSS (468984-1)).

Respectfully submitted,

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